

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EARLAN LOUISY,
 v.
 MERRICK B. GARLAND, *et al.*,
 Respondents.

Case No. 2:24-cv-02016-GMN-MDC

ORDER

Petitioner Earlan Louisy commenced this habeas action by filing a Petition for Writ of Habeas Corpus (ECF No. 1) under 28 U.S.C. § 2241 challenging his continued detention at Henderson Detention Center on behalf of Immigration and Customs Enforcement and Removal Operations. Also before the Court is Louisy’s Motion for Appointment of Counsel (ECF No. 2.)

Having conducted an initial review under the Rules Governing Section 2254 Cases,¹ the Court directs service of the Petition. The Court denies Louisy’s motion for appointment of counsel without prejudice given that (1) there is no constitutional right to appointed counsel in federal habeas corpus proceedings, (2) this case is not especially complex, and (3) Louisy has demonstrated that he is capable of fairly presenting his claims. *See* 18 U.S.C. § 3006(A)(2)(B); *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987); *Luna v. Kernan*, 784 F.3d 640, 642 (9th Cir. 2015) (citing *Lawrence v. Florida*, 549 U.S. 327, 336-37 (2007)).

IT IS THEREFORE ORDERED:

1. Petitioner Earlan Louisy’s Motion for Appointment of Counsel (ECF No. 2) is denied without prejudice.
2. The Clerk of the Court is directed to SERVE copies of the Petition (ECF No. 1) and this order on the respondents as follows:
 - a. By electronically through CM/ECF serving a copy of the Petition (ECF No. 1)

¹ All references to a “Habeas Rule” or the “Habeas Rules” in this order identify the Rules Governing Section 2254 Cases in the United States District Courts.

1 and this order on the United States Attorney for the District of Nevada in
2 accordance with Rule 5(b)(2)(E) of the Federal Rules of Civil Procedure;

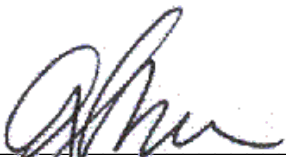
3 b. By sending a copy of the Petition (ECF No. 1) and this order by mail to: (1)
4 Alejandro Mayorkas, Secretary of the Department of Homeland Security,
5 2707 Martin Luther King Jr. Ave SE, Washington, DC 20528; (2) Merrick B.
6 Garland, Attorney General of the United States, 950 Pennsylvania Avenue,
7 NW, Washington, DC 20530-0001; and (3) Jhonny Benavides, Salt Lake City
8 Field Officer Director, U.S. Immigration & Customs Enforcement,
9 Enforcement and Removal Operations, 2975 Decker Lake Drive, Suite 100,
10 West Valley City, UT 84119-6096.

11 3. The respondents must file and serve their response to the Petition within 30 days of
12 the date of this order, unless additional time is allowed for good cause shown.

13 4. Louisy will have 30 days from the date of service of the response to file and serve his
14 reply, unless additional time is allowed for good cause shown.

15 5. The Clerk of the Court is directed to provide a copy of this order to Louisy.

16 DATED: November 19, 2024

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19 GLORIA M. NAVARRO
20 UNITED STATES DISTRICT JUDGE
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